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JAMES W. RIBBRON
Director

REGULAR MEETING OF
JUNE 9, 2020

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4), The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web. We encourage the public to use one of the following:

The Telephone Numbers Are:
(312) 626-6799 or (213) 338-8477, Meeting ID: 927361025

If You Are Joining By Web The Link Is:
<https://cityofdetroit.zoom.us/j/927361025>

If you need additional information regarding this meeting, you can contact either James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 451-2678

DOCKET

- I. OPENING:**
 - A. CALL TO ORDER.....9:00 A.M.**
 - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
 - A. APPROVAL OF MINUTES: May 26, 2020**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

This Meeting is open to all members of the public under Michigan’s Open Meetings Act

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at **(313) 224-4950**, through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.

JUNE 9, 2020
DOCKET CONTINUED

9:15 a.m. **CASE NO.:** 1-20

APPLICANT: MARIO MOGINI

LOCATION: 2051 W. Davison between Rosa Parks Blvd and 14th St in a R3 (Low Density Residential District)- City Council District #5

LEGAL DESCRIPTION OF PROPERTY: S DAVISON 4 THRU 1 EXC DAVISON AVE AS WD THOMAS BROS WAVERLY PK SUB L30 P74 PLATS, W C R 8/154 110 IRREG

PROPOSAL: Mario Mongini request permission to change an existing non-conforming Dry Cleaners (Permit #50354 – August 3, 1988) to a non-conforming Office Retail in a 1612 sq. ft bldg. on a 5830 sq. ft. lot in a R3 Low Density Residential District. This case is appealed because A nonconforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Section 50-2-67 of this Code, except, that a nonconforming use may not be changed to any of the following: (b) Except for the ten items prohibited above, the Board of Zoning Appeals may approve the change of one nonconforming use to another nonconforming use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use. Where a change in use is approved, the Board of Zoning Appeals shall be authorized to impose conditions that the Body deems necessary to reduce or minimize any potentially adverse effect upon other property in the neighborhood, and to carry out the general purpose and intent of this chapter. Any condition that is imposed must relate to a situation created or aggravated by the proposed use and must be roughly proportional to its impact – 12x35 loading zone required – 0 proposed; No right of way screening, residential screening, dumpster enclosure, masonry wall/fence proposed (Sections 50-15-7 - Board of Zoning Appeals and 50-15-30 (b) - Change of nonconforming use to other nonconforming use: (b) the Board of Zoning Appeals may approve the change of one nonconforming use to another nonconforming use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use). AP

10:15 a.m. **CASE NO.:** 2-20

APPLICANT: MAZIN MAROGI

LOCATION: 4210 & 4236 E. Eight Mile Rd. between Dean and Sunset in B4 (General Business District)- City Council District #2

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE ROAD 48 THRU 37 ASSESSORS BASE LINE SUPERHIGHWAY NO1 L63 P67 PLATS W C R 13/331 250.50 X 100 SPLIT/COMBINED ON 11/27/2019 FROM 13009123-7, 13009118-22; S EIGHT MILE ROAD 43 THRU 37 ASSESSORS BASE LINE SUPERHIGHWAY NO1 L63 P67 PLATS W C R 13/331 142.50 X 100 SPLIT ON 11/27/2019 WITH 13009118-22 INTO 13009118-27; S EIGHT MILE ROAD 48-44 ASSESSORS BASE LINE SUPERHIGHWAY NO 1 L63 P67 PLATS, W C R 13/331 108 X 100 Split on 11/27/2019 with 13009123-7 into 13009118-27;

PROPOSAL: Mazin Marogi appeals the decision of the Buildings Safety and Engineering and Environmental Department (SLU2019-00067) which DENIED the expansion of an existing Used Motor Vehicle Sales Lot containing an existing 2,065 sq. ft. building with the lot increasing from 14,250 sq. ft. to 25,050 sq. ft. in a B4 General Business District. This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; USE denied; the subject property was in violation of numerous property maintenance codes, thus the proposed use may be detrimental or endanger the social, physical, environmental or economic well-being of surrounding neighborhoods and the applicant has failed to properly install designated parking spaces onsite for display of vehicles, maintain the adjacent alley nor initiate repair of collapsed screen wall, thus the proposed expansion may pose an undue hardship to the adjacent residential neighborhood. (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and 50-3-281 General approval criteria).AP

JUNE 9, 2020
DOCKET CONTINUED

11:15 a.m. **CASE NO.:** 4-20 aka BSEED 226-16

APPLICANT: CLINTON MCRAE

LOCATION: 8825 & 8829 Hubbell between Joy Rd. and Westfield in B4 (General Business District)- City Council District 7

LEGAL DESCRIPTION OF PROPERTY: W HUBBELL 1375 FRISCHKORNS W CHICAGO BLVD SUB NO 1 L46 P8 PLATS, W C R 22/554 25 X 100; W HUBBELL 1377&1376 FRISCHKORNS W CHICAGO BLVD SUB NO 1 L46 P8 PLATS, W C R 22/554 43 X 100

PROPOSAL: Clinton McRae appeals the decision of the Buildings Safety and Engineering and Environmental Department (PIN 22040309-10 & 22040311) 226-16 which DENIED an extension for a proposed Auto Motor Repair Shop because the extension was requested after the expiration of the Special Land Use approval decision (effective date of decision April 11, 2018; October 18, 2018 the decision expired) (Section 50-3-305) in a B4 General Business District. This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; DENIED an extension for a proposed Auto Motor Repair Shop because the extension was requested after the expiration of the Special Land Use approval decision (effective date of decision April 11, 2018; October 18, 2018 the decision expired)(Sec. 50-3-305. - Lapse of approval - In any case where a permit for a conditional use has not been obtained within six months after the granting of said use, the grant shall be null and void without further action by the Buildings, Safety Engineering, and Environmental Department or the Board of Zoning Appeals, except, that the Buildings, Safety Engineering, and Environmental Department, or where applicable, the Board of Zoning Appeals, may extend, without further public hearing, said six-month deadline for no more than 12 months beyond the expiration date of the original six months. Where this extension expires, no additional extension shall be authorized, unless a new application has been filed and a further public hearing has been held. Notwithstanding the preceding, no such extension may be considered in the case of a land use that was unlawfully established or expanded and that was subsequently legalized as a result of a conditional land use hear.) (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and 50-3-281 General approval criteria).AP

VII. **PUBLIC COMMENT / NEW BUSINESS**

Next Hearing Date: June 16, 2020

VIII. **ADVISEMENTS / OLD BUSINESS**

IX. **MEETING ADJOURNED**